



METROPOLITAN  
TRANSPORTATION  
COMMISSION

Agenda Item 3c

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**Memorandum**

TO: Legislation Committee

DATE: March 1, 2013

FR: Executive Director

W. I. 1131

RE: SCA 11 (Hancock) — Voter-Approval Requirement for Special Taxes

**Background**

SCA 11 by Senator Loni Hancock changes the voter-approval requirement for special taxes (other than property taxes) proposed by a local government from two-thirds to 55 percent — the same vote threshold required for educational bonds since 2004, when voters approved Proposition 39 providing an exception for them.

**Recommendation: Support**

**Discussion**

Since 1978, Proposition 13 has required a 2/3 vote for passage of local special taxes by cities, counties and local districts. According to Senator Hancock's office, since 2001, only half of special district proposals subject to the 2/3 rule have been approved by voters. Ironically, the law allows general taxes that may be used for any government purpose to be passed by a simple majority even though such taxes arguably provide the voters with significantly less accountability than a special tax.

Last January, the commission endorsed two similar bills — SCA 4 (Liu) and SCA 8 (Corbett) — which would place a constitutional amendment on the ballot to lower the threshold for local transportation measures only. In addition to these transportation-specific proposals, there are a handful of other bills to lower the vote threshold for local special taxes for libraries, schools and public safety.

Given that the Legislature will likely seek to combine these various proposals into one constitutional amendment, rather than advance multiple single-subject proposals, we recommend MTC also endorse the inclusive approach offered by SCA 11.

**Known Positions**

**Support**

Oakland Zoo  
Coalition for Adequate School Housing (CASH)

**Oppose**

None on file

  
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Steve Heminger